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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,371	05/07/2001	Martin Sperber	7-15990.06.4	2387

7590 02/15/2005  
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EXAMINER

GLENN, KIMBERLY E

ART UNIT	PAPER NUMBER
2817	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

99

<b>Office Action Summary</b>	<b>Application No.</b> 09/851,371	<b>Applicant(s)</b> SPERBER ET AL.	
	<b>Examiner</b> Kimberly E. Glenn	<b>Art Unit</b> 2817	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,9-12 and 18-20 is/are rejected.
- 7) ☐ Claim(s) 3-8,13-17 and 21-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/17/00</u> . | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

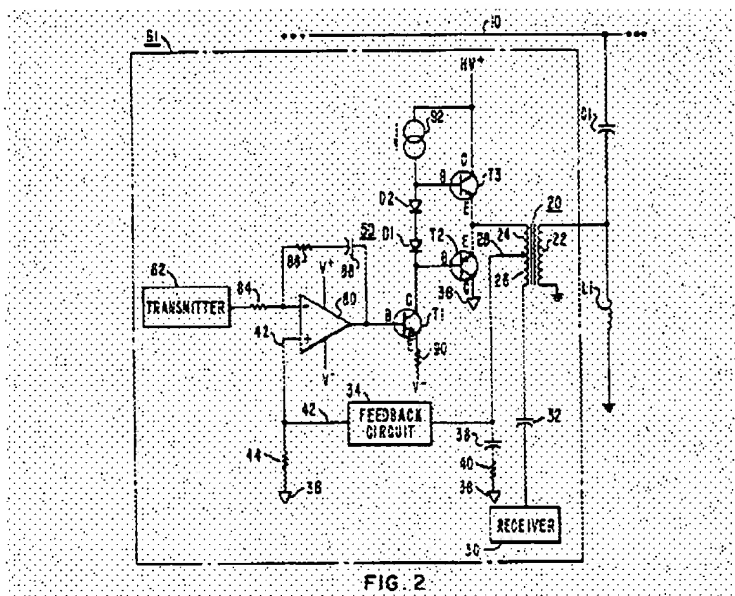
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 9, 10-12 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ochs US Patent 4,636,771.

Ochs discloses a power line communication terminal and interface circuit comprising an interface section (Ci) comprising a bridging connection for a bi-directional communication path (10 power line), and an interface output connection, an impedance boosting section coupled to the impedance boosting circuit including a transformer tap output 28, and an access connection point coupled to the transformer point tap output. The impedance boosting section comprises a transformer winding (22 24 26) with a winding tap 28. The circuit further comprises a tuning section (34 44 38 40) connected to access connection point. The tuning section comprises a resistive network 40 and 44. The transformer 20 will inherently provide an impedance boost to the interface output connection. The method steps to the above disclosed apparatus are inherent. (Column 1 line 32-35, column 4, line 44 through column 5, line 15)



### ***Allowable Subject Matter***

Claims 3-8, 13-17 and 21-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: With regards to claims 3-6 and 13-16, the prior art of record does not disclose or fairly teach the transformer winding comprising N1 turns above the winding tap and N2 turns below the winding tap, where  $N1 > N2$ . With regards to claims 7 and 17, the prior art of record does not disclose or fairly teach the interface section being a resistive interface section. With regards to claim 8, the prior art of record does not disclose or fairly teach the interface section being a resistive interface section comprising at least a first and second resistor in series. With regards to claim 20, the prior art of record does not disclose or fairly teach a tuning means for establishing at least one of a

predetermined return loss and tap value for the access connection point. With regards to claims 22-24, the prior art of record does not disclose or fairly teach The impedance boost is commensurate with a preselected tap value ranging between -10dB and -30dB.

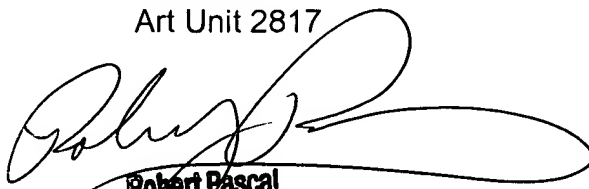
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly E. Glenn whose telephone number is (571)-272-1761. The examiner can normally be reached on Monday-Friday 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

keg

Kimberly E Glenn  
Examiner  
Art Unit 2817



**Robert Pascal**  
**Supervisory Patent Examiner**  
**Technology Center 2800**